

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

MARSHALL DIVISION

TIVO INC., a Delaware corporation)	Case No. 2-04-CV-01 (Judge Folsom)
)	
Plaintiff,)	
)	
vs.)	
)	
1. ECHOSTAR COMMUNICATIONS)	
CORPORATION, a Nevada corporation,)	
2. ECHOSTAR DBS CORPORATION, a)	
Colorado corporation,)	
3. ECHOSTAR TECHNOLOGIES)	
CORPORATION, a Texas corporation,)	
4. ECHOSPHERE LIMITED LIABILITY)	
COMPANY, a Colorado limited liability)	
company, and)	
5. ECHOSTAR SATELLITE LLC, a)	
Colorado limited liability company,)	
)	
Defendants.)	
)	
AND RELATED COUNTERCLAIMS)	
)	

TIVO'S WITNESS LIST RE: BENCH TRIAL

TiVo expects to call the following witnesses to testify in person:

1. Jim Barton
2. Alan Gordon
3. Mike Ramsay
4. Dr. James Storer

TiVo may call the following witness to testify in person or may, instead, present his deposition testimony:

5. Kirk Wong

TiVo expects to present deposition testimony and/or testimony from the jury trial in this matter from the following witnesses:

6. Michael Bazata
7. Charles Ergen
8. Michael Glenn
9. Markus Jackson
10. David Kummer
11. Carol MacLeod
12. Kerry Miller
13. Dan Minnick
14. Paul Orban
15. Nathaniel Polish
16. David Rayner
17. James Sheridan
18. Joe Sucharda

TiVo reserves the right to examine any witnesses produced by EchoStar at the bench trial, to present deposition and/or trial testimony from any such witnesses, and to present additional deposition and/or trial testimony from any witnesses for whom EchoStar designates deposition and/or trial testimony.

DATED: June 17, 2006

Respectfully submitted,

By: /s/ Christine Byrd
Christine Byrd

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document was served on all parties by electronic service on the 17th day of June, 2006.

By: /s/ Christine Byrd
Christine Byrd